

it at the proper time, and before any alteration was made in it; and for this reason that the proposition of the Committee was not drawn up with the view of making any discrimination between a naturalized citizen and any other. If the Convention thought that the limitations should be merely upon the subject of residence, and not citizenship, they would get at it by the amendment he, [Mr. B.,] now offered to the amendment of the gentleman from Anne Arundel, [Mr. Dorsey,] by inserting after the word "State," (he did not know the words that were stricken out,) the following:—"A resident of the State for five years."

Mr. HOWARD observed that he did not know that he had any clear idea upon the point—"what is a citizen of Maryland?" If his ideas were not clear, then he would ask other gentlemen who had addressed the Convention to make them a little clearer. He knew what a citizen of the United States was under the Constitution of the United States; and he knew they used to naturalize persons in the State of Maryland before the adoption of the Constitution. But, how a man became a citizen of Maryland since the adoption of that Constitution, he knew not, unless it was by becoming a citizen of Baltimore. The only mode of designating who was a citizen of Maryland, appeared to him to be this, that when a man was entitled to vote in Maryland, he became *ipso facto* a citizen of the State. As such, he was qualified to maintain suits in the Federal Courts.

Under the Constitution of the United States the jurisdiction of those courts attached when the controversy between citizens of different States, but he was not aware that the question had ever been decided what qualifications were necessary to sustain the character of a citizen of Maryland. There seemed to be an identity between the right of voting and the right of being a citizen, because it belonged appropriately to the citizens of a State to control its destinies by their votes. Residence, of itself, could scarcely entitle an alien stranger to the appellation of a citizen of the State, but after a naturalization in the case of an alien, or a residence of a year in the case of a person coming from another State, the name of citizen might properly be applied. Now, it appeared to him, if we once, according to our law, recognised the claim of voting in Maryland, we recognise the existence of citizenship. He knew not how to separate them. And if it was so, then the bill was clear enough. If there was any thing else, then he would like to know it.

Mr. SPENCER. According to the amendment to the proposition, as it now stands, a man to be entitled to the office of a judge, must be a resident of this State merely.

Mr. HOWARD. What is a citizen?

Mr. SPENCER. One moment—that is, he must have been subject to the laws and allegiance of the United States for five years.

Mr. BOWIE. All I have got, as a section, makes no distinction between any class of citizens.

Mr. DORSEY remarked that, his friend [before

him, [Mr. Howard,] asked what was the meaning of "citizen of Maryland?" During the absence of that gentleman, the question he now propounded was fully discussed before this Convention, and the result of that discussion, as he understood it was, that a person to be "a citizen of Maryland," must have become so in one of those modes; he must either have been born in the State of Maryland, or been born in some other of the United States, and become a *bona fide* residents of the State of Maryland, or he must be a citizen of the United States with like residence. Eligibility to an office created under the Constitution or laws of this State, and the right to vote for such officer are political rights; not inherent in every citizen of this State, and paramount to the provisions of its constitution and laws; but are dependent upon, and derived under them, and are controlled by no provision in the Constitution of the United States, which give civil, but not political State rights, in the several States of the Union. Citizenship alone, as to State officers, and appointments confers neither the right of suffrage or of eligibility. Those rights rest entirely upon the provisions of the State Constitution and legislative enactments in conformity thereto. To possess a right of suffrage or be eligible to office, residence in the State is a prerequisite.

There is a difference between the condition of a foreigner, not naturalized, coming into the State of Maryland, with a *bona fide* intent to reside there, and a native citizen of another State, making a like removal. The latter became a citizen and resident of Maryland; the former a resident only. But from the moment the former became naturalized, he [Mr. Dorsey,] desired to confer on both the same political rights; to regard them in the same light that they would have been regarded, had both been citizens of the United States at the time of their respective removals to Maryland. We had the unquestioned right, nay, it was our bounden duty to impose such discriminating restrictions upon the rights of our citizens, whether natives of this or some other State, or made citizens by naturalization, where some great public good required it; and he would do so with equal freedom to any one, or all of these enumerated classes of our fellow citizens. It was upon this principle that when the report of the committee on the elective franchise, was under consideration, he [Mr. D.,] to purify the ballot box, to prevent fraud and corruption, and disgraceful impositions upon our newly created citizens, voted with his political friends for some temporary suspension of the right of suffrage, and for this they were denounced by the gentleman from Prince George's, and his new political allies, as the enemies of naturalized citizens; as perpetrating a crime towards them as atrocious as sacrilege itself; and a suspension of this elective franchise, for even for five days, was denounced as the perpetration of this high offence. And this new born zeal for the sanctity and inviolability of the political rights of naturalized citizens appeared to have